This application has been reviewed in light of the Office Action dated November 2, 2006. Claims 32, 33, 36-38, 41-43, and 46-55 are presented for examination, of which Claims 32, 37, 42, 47, 48, 49, 51, 52, 54 and 55 are in independent form. Claims 34, 35, 39, 40, 44 and 45 have been canceled, without prejudice or disclaimer of subject matter. Claims 32, 37, 42 and 47 have been amended to define still more clearly what Applicants regard as their invention. Claims 48-55 have been added to provide Applicants with a more complete scope of protection. Favorable reconsideration is requested. The canceled claims will not be further addressed herein.

Claims 32, 33, 37, 38, 42, 43 and 47 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,772,420 (Poger et al.).

Claims 36, 41 and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Poger in view of U.S. Patent No. 5,692,111 (Marbry et al.).

Claim 40 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Poger in view of U.S. Patent No. 5,692,111 (Marbry et al.).

As shown above, Applicants have amended independent Claims 32, 37, 42 and 47 in terms that more clearly define what they regard as their invention. Applicants submit that these amended independent claims, together with newly added independent Claims 48, 49, 51, 52, 54 and 55, and the remaining claims dependent thereon, are patentably distinct from the cited

prior art for at least the following reasons.

Claim 32 is directed to an information processing apparatus connected with an external information processing apparatus and a peripheral apparatus via a network. The apparatus includes obtaining means for obtaining a device driver, which controls the peripheral device, delivered from the external information processing apparatus, wherein the device driver is obtained from the external information processing apparatus. Also included in the apparatus are executing means for executing a scanning process using the device driver to obtain data, and transmitting means for transmitting the data obtained by the scanning process.

The executing means and the transmitting means added to claim 32 are supported by at least step S1605 in Fig. 16 and the corresponding explanation in page 26, lines 9-18.

Poger et al. relates to a network server that determines a location of a device driver of a new network device, and downloads and installs the device driver on the network server. Poger et al. explains their invention as follows (column 5, lines 14-35):

> The table used to determine the type and version of a device based on the link-layer address of the device may be stored local to a server containing the driver installation system server, or at a remote location, e.g., on another network server that may be maintained by the manufacturer.

> The table containing information listing the type of device and the driver software required to query and control the device includes a list of uniform resource locators (URLs) indicating where the driver software is stored. After determining the type of the device and the driver software required to query and control it, the driver installation system determines the location of the driver software (step 230).

> Next, after determining the location of the driver software, the driver

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installation system accesses the specified location, downloads the driver software, and installs it on a network server (step 240). Once the driver software for a particular device has been installed on a network server, other network devices may interact with that device by interacting with the network server containing the driver software needed for controlling and querying the particular device.

Poger et al. fails to teach or suggest that the device driver is a scanner driver. Accordingly, Applicants have found nothing in Poger et al. that would teach or suggest "executing means for executing a scanning process using the device driver to obtain data" or "transmitting means for transmitting the data obtained by the scanning process," as recited in Claim 32.

Marbly et al. does not remedy the deficiencies of Poger et al. Marbly et al. relates to an operating system providing a point-and-print capability that retrieves configuration information of a new available printer and installs the printer driver. Applicants have found nothing in Poger et al. that would teach or suggest "executing means for executing a scanning process using the device driver to obtain data" or "transmitting means for transmitting the data obtained by the scanning process," as recited in Claim 32.

Accordingly, Applicants submit that Claim 32 is allowable over Poger et al. and Marbry et al.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 32.

Independent Claims 37, 42 and 47 are method, program and system claims, respectively, corresponding to apparatus Claim 32, and are believed to be patentable over the cited prior art for at least the same reasons as discussed above in connection with Claim 32.

Claim 48 is directed to a system including an information processing apparatus, a first apparatus, and a second apparatus. The system includes: (1) first transmission means for transmitting a first program from the information processing apparatus to the first apparatus; (2) second transmission means for transmitting a second program from the information processing apparatus to the second apparatus; (3) generation means for, in the first apparatus, generating data using the first program; (4) third transmission means for transmitting data generated by the generation means to the second apparatus; (5) reception means for, in the second apparatus, receiving data transmitted from the first apparatus; and (6) image processing means for, in the second apparatus, performing an image processing of the data received by the reception means.

Applicants have found nothing in Poger et al. or Marbry et al. that would teach or suggest the first transmission means, second transmission means, generation means, third transmission means, reception means or image processing means of Claim 48.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against Claim 32.

Independent Claims 49, 51, 52, 54 and 55 include features substantially similar to those of Claim 48. Accordingly, those claims are believed to be patentable over the cited prior art for reasons substantially the same as those discussed above in connection with Claim 48.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration of the patentability of each on its own

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merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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